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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/332,459 | 06/14/1999 | JUSTIN B. MAGARAM | 1800 | 2958 |

7590          09/11/2003

Law Offices of Albert S Michalik, PLLC
704-228th Avenue NE
Ste 193
Sammamish, WA   98074

| EXAMINER |
|---|
| NGUYEN, NGA B |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3628 | |

DATE MAILED: 09/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

| Office Action Summary | Application No. | Applicant(s) |
|---|---|---|
| | 09/332,459 | MAGARAM ET AL. |
| | Examiner | Art Unit |
| | Nga B. Nguyen | 3628 |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _06 June 2003_ .

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1,3-9,11-29 and 31-37_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,3-9,11-29 and 31-37_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

| | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4)☐ Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5)☐ Notice of Informal Patent Application (PTO-152) |
| 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6)☐ Other: |

## DETAILED ACTION

1.      This Office Action is the answer to the Request for Continue Examination (RCE)

filed on June 6, 2003, which paper has been placed of record in the file.

2.      Claims 1, 3-9, 11-29, and 31-37 are pending in this application.


### *Response to Arguments/Amendment*

3.      Applicant's arguments with respect to claims 1, 3-9, 11-29, and 31-37 have

been considered but are moot in view of the new grounds of rejection.


### *Claim Rejections - 35 USC § 103*

4.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.      Claims 1, 3-9, 11-29, and 31-37 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bromley et al (hereinafter Bromley), U.S. Patent No. 5,819,263.

Regarding to claim 1, Bromley discloses a computer-readable medium having

computer-executable instructions, comprising: receiving input of a value corresponding

to a first field of a first object that maintains plan data (column 20, lines 15-25, enter

person's date of birth). Bromley does not disclose receiving additional input

corresponding to a second field of a second object that maintains plan data, the input

that defines a hierarchical relationship between the first and second objects such that a value in the second field is at least partially based on the first field as a result of the hierarchical relationship; developing a plan by running a simulation on objects including the first and second objects; receiving input of a new value for the first field, and developing a new plan by running a simulation on objects that maintain the plan data, including the first and second objects, in which in the new plan, the new value changes the information in the second field. However, it is well known for a person in the skill of the art of computer science can write a short software program express the feature above (see the attachment contains figures 1-4). See figure 1, first object is "Year Of Birth" has a first field, second object is "Retired Year" has a second field. The program allows to input value in the Year Of Birth field (2000), input value in the Retired Year field (YOB+65), thus the value in the second field is at least partially based on the first field as a result of the hierarchical relationship. Running the simulation includes Year of Birth field and Retired Year, receiving the value 2065 (the year expect to retire). When inputting new value in the first field (see figure 3), running the simulation with new value, the information of second field also changes. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Bromley's for the purpose of allowing the user a flexibility to create and update the financial plan information.

Regarding to claims 3-4, Bromley further discloses the plan is a financial plan and the first field represents a date and the second field represents a date based on the first field (column 20, lines 15-25).

Regarding to claims 5-6, Bromley discloses the plan is a financial plan but he does not teach the first field represents an amount the second field represents a date conditional on the amount represented in the first field. However, it is obvious to write the program to automatically calculate the date conditional on the amount. For example, an employee started working at 1/1/2001 with the salary $50,000, every year he will get promotion which increases 7% of his current salary, the person in the skill of the art can write a program to calculate the date when his salary hit to $100,000. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Bromley's for the purpose of automatically calculate the date conditional on the amount.

Regarding to claims 7-8, Bromley further discloses the plan is a financial plan and wherein the first field represents a rate and the second field represents a date conditional on the rate represented in the first field (column 20, lines 9-14).

Regarding to claim 9, receiving input corresponding to an adjustment value related to the second field is well-known in the art. For example, the retirement age can be adjusted to 60, so the second field "retirement date" becomes "birth date + 60". Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Bromley's for the purpose of allowing the user a flexibility to create and update the financial plan information.

Regarding to claim 11, Bromley further discloses associating a plurality of objects in a package object (column 10, lines 17-60).

Regarding to claims 12-14, Bromley does not discloses disabling at least one plan element, enabling at least one plan element, and developing a plan by running a simulation includes arranging a list of plan elements that includes enabled elements and excludes disabled elements are. However, it is well known in the art to disable or enable one plan element (see attachment, figures 1-4, included field has a flag to enable or disable, when running the simulation, the value change based on whether the included field flag or not). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Bromley's for the purpose of allowing the user a flexibility to change the financial plan information.

Regarding to claim 15, Bromley does not teach developing a plan by running a simulation includes removing expired elements from the list. However, removing expired elements from the list is well-known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Bromley's for the purpose of deleting all of the expired when running a new plan.

Regarding to claim 16, Bromley further discloses receiving input information includes providing a user interface (figure 8A).

Regarding to claims 17, 34, Bromley does not teach input information includes synchronizing plan elements with data from another program includes synchronizing only the plan elements that have been previously identified for synchronization. However, importing data from another program is old and well-known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the

invention was made to include the feature above with Bromley's for the purpose of providing more information the user needs to establish a plan.

Claims 18-20, 35, 36 contain similar limitations founds in claims 1, 12-14, 16, discussed above, therefore, are rejected by the same rationale.

Claims 21-23, 26, 27, 29, 31, 32 contain similar limitations founds in claims 1, 3, 4, 7, 8, 12-14, discussed above, therefore, are rejected by the same rationale.

Claims 24, 25, 28, 33, 37 contain similar limitations founds in claims 5, 6, 9, 17, 34, discussed above, therefore, are rejected by the same rationale.

## *Conclusion*

6.     Claims **1, 3-9, 11-29,** and **31-37** are rejected.

7.     Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nga B. Nguyen, whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 8:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

8.     **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks

c/o Technology Center 3600

Washington, D.C. 20231

**or faxed to:**

(703) 872-9326, (for formal communications intended for entry)

**or:**

(703) 308-3961  (for informal or draft communications, please

label                                    "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal

Drive, Arlington, VA, Seventh Floor  (Receptionist).


Nga B. Nguyen

September 5, 2003

**C; Untitled - Notepad**      _ ☐ ✕

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**·r Included**      _ ☐ ✕

| | | |
|---|---|---|
| **Year Of Birth** | 2000 | (YOB) |
| **Retired Year** | YOB+65 | |
| **Additional Year** | 5 | ☐ Included |
| **Simulation Link** | 2065 | |

FIGURE 1

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**·r Included**      _ ☐ ✕

| | | |
|---|---|---|
| **Year Of Birth** | 2000 | (YOB) |
| **Retired Year** | YOB+65 | |
| **Additional Year** | 5 | ☑ Included |
| **Simulation Link** | 2070 | |

FIGURE 2

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**·f Included**

Year Of Birth       999                    (YOB)

Retired Year        YOB+65

Additional Year     5                 ☑ Included

Simulation Link     2069

FIGURE 3

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**Included**

| | | |
|---|---|---|
| Year Of Birth | 1999 | (YOB) |
| Retired Year | YOB+65 | |
| Additional Year | 3 | ☐ Included |
| Simulation Link | 2064 | |

FIGURE 4